



O'FISH &amp; RICHARDSON P.C.

APR 10 2002

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RCE  
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## REQUEST FOR CONTINUED EXAMINATION (RCE)

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/440,384
Filing Date	November 15, 1999
First Named Inventor	Howard A. Kingsford
Group Art Unit	1772 #10
Examiner Name	M. Patterson KJL
Attorney Docket Number	05918-153001-1700

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114

- a.  Previously submitted
  - i.  Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii.  Other \_\_\_\_\_
- b.  Enclosed
  - i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS)
  - iv.  Other Petition for One-Month Extension of Time; Request for Telephone Interview

2. Miscellaneous

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. §1.17(i) required)
- b.  Other \_\_\_\_\_

3. Fee The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
  - i.  RCE fee required under 37 C.F.R. §1.17(e) 04/11/2002 AWONDAF1 00000054 09440384
  - ii.  Extension of time fee (37 C.F.R. §§1.136 and 1.17) 01 FC:179 740.00 0P
  - iii.  Other \_\_\_\_\_
- b.  Check in the amount of \$ 740.110 enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

Name (Print/Type)	Daniel J. Sepanik	Registration No. (Attorney/Agent)	45,388
Signature		Date	March 28, 2002

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to **Commissioner for Patents, Box RCE, Washington, DC 20231** or facsimile transmitted to the U.S. Patent and Trademark Office on: March 28, 2002

Name (Print/Type)	Toni M. Sousa
Signature	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. Send fees and completed forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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